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SUBJECT: LEGISLATIVE REFORMS TO COMBAT VIOLENCE AGAINST
WOMEN PRESENTED TO CONGRESS

REF: 06 GUATEMALA 2486

¶1. Summary: Civil society representatives presented a proposal of legislative reforms to combat violence against women to the Guatemalan congressional Human Rights Committee.

The result of coordination among public institutions, civil society groups, and international organizations, the proposal aims to strengthen the pending "Ley Contra el Femicidio," as well as strengthen public institutions to investigate and prosecute crimes. End summary.

¶2. On September 17, civil society representatives presented a legislative proposal to combat violence against women to representatives of the congressional Human Rights Committee. The proposal was the result of months of coordination and consensus among public institutions, civil society groups, and international organizations. According to a representative of a local coalition of women's groups, the proposal aims to more effectively combat killings of women to enable women "to live free of violence and with human rights." (Note: According to the Office of the Human Rights Ombudsman, women are the victims of approximately 12 percent of all homicides committed in Guatemala. End note.)

¶3. The draft law defines "violence against women" and identifies various types of violence, including physical, sexual, psychological, economic, institutional, and political violence. It also provides for penal, civil, and administrative remedies to prevent and sanction discrimination and violence against women.

¶4. According to the National Coordinator for the Prevention of Domestic Violence and Violence Against Women (CONAPREVI), one in three women have been beaten or forced to have sexual relations. Between January and June of this year, CONAPREVI registered 114 complaints of violence against women and 287 deaths of women, compared to 603 deaths in 2006.

¶5. The Office of the Human Rights Ombudsman reported that between 2002 and 2006, killings of women increased by 90.22 percent, in comparison to a 59.35 percent increase in killings of men. Sixty-six percent of the women killed were 21-30 years old. Investigators did not establish the motive in most cases, but were able to identify some cases as gender-motivated.

¶6. According to local NGO "Grupo Guatemalteco de Mujeres" (GGM), 11 percent, or 266, of the 2,318 murders of women reported 2000-2006 were targeted killings based on gender. Investigations revealed that 126 of those killings were connected to intra-family violence, while 62 percent involved acts of sexual aggression. More than half (143) of the 266 killings involved firearms.

17. The draft law aims to provide greater protection and reparation to victims or survivors of violence against women and to guarantee fulfillment of state commitments under the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women and the UN Convention on the Elimination of All Forms of Discrimination Against Women. It states that crimes of violence against women will be prosecutable by penal action in accordance with the Penal Code and that no pardon will be offered to the defendant or his accomplices. It also stipulates that when a prison sentence is commuted to a fine, the proceeds from the fine will go to the aggrieved party or survivors rather than to the state. Likewise, any bond paid on behalf of the defendant will go to the aggrieved party or survivors as part of reparative measures determined by the court.

Derham